

ORDINANCE OF THE CITY OF MINNEAPOLIS

By Schiff

Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.30(g) of the above-entitled ordinance be and is hereby repealed.

362.30. "On Sale" licenses.

~~(g) — Off street parking.~~

~~(1) — Except as to any place of business having an "on sale" liquor license on January 1, 1974, for premises located outside of the liquor patrol limits in existence on that date, each holder of an "on sale" liquor license for a premise outside the liquor patrol limits in existence on January 1, 1974, shall provide off street parking facilities for the customers of his or her business within three hundred (300) feet of the main entrance of the establishment. The number of off street parking spaces required shall be either that number required by the applicable zoning ordinance, or one parking space for every three (3) persons as computed on the basis of the maximum seating capacity of the establishment, whichever is greater. A building located in a district designated on the National Register of Historic Places, or in a local heritage preservation district, which owns a parking lot partly or wholly within the liquor patrol limits in existence on January 1, 1974, shall be considered for the purposes of this section to be wholly within the liquor patrol limits in existence on that date.~~

~~(2) — a. After February 1, 1983, no "on sale" liquor license shall be granted outside the commercial districts described in section 362.430 for a new premises, or upgrading of an existing licensed premises to Class A, or Class B, or an expansion of an existing licensed premises, unless the applicant provides and thereafter continuously maintains off street parking for the customers of his or her business within three hundred (300) feet of the main entrance of the establishment. The number of off street parking spaces shall be that number required by the applicable zoning ordinance, or one parking space for every three (3) persons as computed on the basis of the maximum seating capacity of the establishment, whichever is greater. In the case of a new premises or an upgrading to Class A, or Class B, the number of required parking spaces shall be based upon the capacity of the entire premises. In the case of an expansion of premises, the number of required parking spaces shall be based on the capacity of the expanded area.~~

~~b. — A place of business located south of the centerline of East Grant Street, north of the centerline of Fifteenth Street, and on the Nicollet Avenue~~

~~block face or a place of business located from Hawthorne Avenue to 15th Street North to Laurel Avenue to 17th Street North to Hennepin Avenue to Harmon Place to Maple Street to Hennepin Avenue to 13th Street North, which seeks an "on sale" liquor license may fulfill the off-street parking requirement of this subsection for such "on sale" liquor license by maintaining a free valet parking service for its customers. The service shall be available during all business hours and shall provide service to and from the main entrance. Availability of this service shall be conspicuously posted inside and outside the establishment near the main entrance. The valet shall be properly licensed to operate a motor vehicle.~~

~~c. A place of business located south of the centerline of the Midtown Greenway, north of the centerline of East Lake Street and on the blockface of Lyndale Avenue South, which seeks an "on sale" liquor license shall be afforded all nonconforming parking spaces under the applicable zoning code, except that outdoor seating shall be considered the same as indoor seating for purposes of calculating off-street parking requirements, subject to the following requirements:~~

~~1. The "on sale" licensee granted a license under the provisions of this subsection shall pay and keep current all development impact fees due to the Lyn/Lake Parking Trust Fund established by the Minneapolis City Council on May 22, 1998.~~

~~2. The "on sale" licensee granted a license under the provisions of this subsection shall, with the exception of approved off-street parking facilities exclusively owned or leased and exclusively utilized by the patrons of the "on sale" licensee, shall meet all additional parking requirement through utilization of the Lyn/Lake municipal parking facility described in petition number 263799 on file in the office of the city clerk.~~

~~(3) A place of business having an "on sale" liquor license continuously since January 1, 1981, and a license permitting the "on sale" of beer continuously since July 19, 1963, which seeks an expansion of premises, may fulfill the off-street parking requirement of this subsection for such expansion by providing at least forty (40) per cent of the parking spaces required by (1) above within three hundred (300) feet of the main entrance and the balance of spaces required in (1) above within eight hundred (800) feet of the main entrance, provided that the following conditions are met:~~

~~a. The licensee shall maintain a valet parking service for his or her customers. The service shall be available during all business hours and shall provide service to and from the main entrance. Availability of the service shall be conspicuously posted inside the establishment, in all off-street parking lots open to customers, and outside the premises near the main entrance. The valet shall have no additional job duties during meal hours and for the last two (2) hours prior to closing. The valet shall be properly licensed to operate a motor vehicle.~~

- b. ~~The licensed premises shall have been a restaurant continuously since January 1, 1981, with facilities for seating not fewer than seventy-five (75) guests at one time at tables, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than sixty (60) per cent of its total gross revenue from the sale of food and beverages.~~
 - c. ~~The licensed premises and all parking spaces to be counted shall be within a contiguous area at least seven (7) acres in size, all of which area is zoned by ordinance to permit the "on sale" of liquor.~~
 - d. ~~The premises shall abut an arterial street.~~
 - e. ~~The premises must have had, on or before January 1, 1981, sufficient off-street parking to comply with this subsection. Further, the expansion of premises shall not result in the elimination of any existing off-street parking spaces, even if such spaces are replaced at another location.~~
 - f. ~~All parking spaces more than five hundred (500) feet from the main entrance must be in a parking lot constructed, paved and improved with a substantial portion of public funds.~~
- (4) ~~For purposes of satisfying that portion of the off-street parking requirement attributable to the seating capacity in an outdoor seating area entirely on the private property of the licensee, the main entrance of the establishment may be considered to be the main entrance of the outdoor seating area.~~
 - (5) ~~In the Pedestrian Oriented Overlay District referenced in Section 551.160 Dinkytown area of this Code and shown on the official zoning map, the off-street parking requirement for a class E, class D, class C-2 or class C-1 on-sale liquor license shall be the number of spaces required by the applicable zoning ordinance.~~
 - (6) ~~A place of business having an "on-sale" liquor license continuously since November 1, 1981, and located within a Crime Prevention Through Environmental Design project area bounded on the north by Twenty-sixth Avenue Northeast, on the east by Polk Street Northeast, on the south by Lowry Avenue Northeast and on the west by Central Avenue Northeast may fulfill the off-street parking requirement of this subsection by providing not less than eighty-five (85) percent of the number of off-street parking spaces required by this subsection.~~

Section 2. That Section 362.30(h) of the above-entitled ordinance be amended to read as follows:

- (h)(g) *[Expanded premises.]* Permission to expand a licensed premises may allow, in the expanded area, those activities and privileges of a class lesser than or equal to the class of license held for the main premises. The license fee shall be the fee prescribed for the highest class of license held by the premises, and shall not be prorated.